

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MARQUIS AURBACH COFFING, P.C.,

Plaintiff,

vs.

TERRY DORFMAN, et al.,

Defendants.

Case No. 2:15-cv-00701-JCM-NJK

ORDER DENYING MOTION TO
COMPEL

(Docket No. 52)

Pending before the Court is Plaintiff's Emergency Motion to Compel. Docket No. 52. For the reasons stated below, this motion is **DENIED** without prejudice.

On January 14, 2016, Plaintiff filed an Emergency Motion to Compel. Docket No. 41. On January 15, 2016, the Court denied Plaintiff's motion. Docket No. 43. The Court found that Plaintiff had failed to demonstrate that an adequate meet and confer occurred between the parties. *Id.* at 2-3. The Court further denied Plaintiff's request for emergency relief, as Plaintiff waited more than two months after the document production to file its motion on essentially the eve of the deposition for which it claimed it needed the documents. *Id.* at 4.

On February 5, 2016, Plaintiff refiled exactly the same motion it filed previously. Docket No. 52. This motion, like the earlier one, is dated January 14, 2016, and asks the Court to decide it on an emergency basis because Plaintiff needs a document production prior to the deposition scheduled for January 26, 2016. *Id.* at 2. The Court is unable to discern any difference between the current motion

1 and the one it denied on January 15, 2016. See Docket Nos. 41, 52.¹

2 Accordingly, for the reasons stated in the Court's order of January 15, 2016 at Docket No. 43,

3 **IT IS ORDERED** that Plaintiff's refiled motion to compel, Docket No. 52, is **DENIED** without
4 prejudice.

5 IT IS SO ORDERED.

6 DATED: February 5, 2016.

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9 NANCY J. KOPPE
United States Magistrate Judge

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26 ¹The Court also notes that Plaintiff redacted parts of its motion to compel and filed two of its exhibits
27 under seal, without filing a motion to seal or notification that the Court has already approved these
28 particular redactions and/or the sealing of these particular exhibits. Further, Plaintiff has failed to file an
unredacted version of its motion under seal. To the extent Plaintiff files a renewed motion to compel, it
must fix these deficiencies.